



### PATENT APPLICATION

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 30311/37747



## CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

**Box Patent Application Commissioner for Patents** Washington, D.C. 20231

Sir:

This is a request under 37 CFR 1.53 for filing a

 $\boxtimes$ continuation application.

divisional application.

#### 1. Particulars of Prior Application

Application Serial No:

09/531,863

Filed on:

March 21, 2000

Title:

Method for Screening for Unknown Organisms

Art Unit:

1655

Examiner:

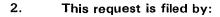
E. Whisenant

Prior Docket No.:

30311/0079

#### **CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on September 18, 2001, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL 564 460 754 US.



1. Full Name of	Family Name	First Given Name	Second Given Name	
Inventor	Gruber	Lewis	G.	
	City	State or Foreign Country	Country of Citizenship	
Residence & Citizenship	Chicago	Illinois	USA	
	Post Office Address	City	State & Zip Code/Country	
Post Office Address	400 East Randolph Apt 3911	Chicago	Illinois/60611/USA	
2. Full Name of Inventor	Family Name	First Given Name	Second Given Name	
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State & Zip Code/Country	
3. Full Name of Inventor	Family Name	First Given Name	Second Given Name	
Residence & Citizenship	City	State or Foreign Country	Country of Citizenship	
	Post Office Address	City	State & Zip Code/Country	
Post Office Address				

This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

	3.	Ame	ndments				
		×	Amend the specification by inserting before the first line the sentence:				
<b>*</b> \	gan a dheadh a dhean ann an t-aire an	den er sussibil de er i fekt de er er	This is a <b>continuation</b> of U.S. application Serial No. 09/531,863, filed March 21, 2000 which issued as U.S. Patent No. 6,291,186 on September 18, 2001				
a in the company of the second	graph (min) to to remove the comment of the comment		Cancel claims in the prior application before calculating the filing fee.				
			A Preliminary Amendment is enclosed.				
		×	The filing fee is based upon entry of the foregoing amendment(s) (if any).				
	4.	Copy of Prior Application					
Parties of the second s		(with	The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in toath or declaration filed to complete the prior application.				
engene engene engene engene	5.	Incor	poration By Reference				
		ation is	entire disclosure of the prior application, from which a copy of the oath or supplied under paragraph 4, above, is considered as being part of the disclosure panying application and is hereby incorporated by reference therein.				
Paradia Sanada	6.	Priori	ity				
			Priority of application No, filed on in is claimed under 35 USC 119.				
	٠		The certified copy(ies) was(were) filed in prior U.S. application Serial No.				
			☐ The certified copy(ies) has(have) not been filed.				
	7.	Assiç	gnment				
		×	The prior application is assigned of record to Hyseq, Inc., and has been recorded at Reel No. 6818, Frame No. 0927.				
	8.	3. Small Entity Status					
		×	Applicant claims small entity status. See 37 CFR 1.27.				
			☐ A small entity statement is(are) attached.				



⊠ Yes.

□ No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

#### 10. Fee Calculation

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
		SMALL ENTITY		OTHER THAN A SMALL ENTITY		
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	10 -20	= 0	X 9 =	\$	X 18 =	\$
INDEP.	1 - 3	= 0	X 40 =	\$	X 80 =	\$
☐ First Prese	ntation of Multiple Dep	endent Claim	+ 135 =	\$	+ 270 =	\$
			Filing Fee:	\$355.00	OR	\$

#### 11. Method of Payment of Fees

$\boxtimes$	Attached is a check in the amount of:	\$ <u>355.00</u>
	Charge Deposit Account No. 13-2855 in the amount of: A copy of this Transmittal is enclosed.	\$

#### 12. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.



### 13. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN 6300 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606-6402 (312) 474-6300

(312) 474-0300 (Telefaçsimile)

By:

Nabeela R. McMillian Reg. No: 43,363

September 18, 2001



U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

09/20/2001 MMEKONEN 00000031 09954744

01 FC:201

355.00 OP

PTO-1556 (5/87)

\*U.S. GPO: 2000-468-987/39595